RICHMOND, VA., WEDNESDAY, AUGUST 1, 1906.

PRICE TWO CENTS

THE TIMES FOUNDED 1886.

WHOLE NUMBER 17,272.

## Will Lead Battle BUTTON'S CASE IN SUPREME COURT

Oral Argument Indulged In. But Counsel Stick to Briefs.

## THE DOCTRINE OF **EJUSDEM GENERIS**

This Seems to Be the Strong Ground of Petitioner-Court Suggested That Only Constitutional Question Be Con-

sidered.

mandamus compelling the Corporation mmissioner, a new office created by act

Button.
he commission refused to swear him
stating verbally and later in a letto Colonel Button that they have
we doubts as to the constitutionality
the act under which he had been electthe Commissioner of Insurance, and that office was placed by the Contion under the control and manage of the State Corporation Commis-

Constitutionality Questioned.

he Churchman two-cent milesse act, naked that it be docketed at once, hat it may come up at the session he court in Staunton on September

## No New Points Raised,

powers of the Corporation control of the general Assembly. In support of the authority of the General Assembly he said that, while the Corporation Commission possessed only such powers as were given it, the General Assembly had all the powers that are not taken from it; that while the commission was created by the Constitution, the General Assembly would exist if there were no Constitution.

Speaking of the Department of the Insurance Commissioner, he declared it to be an absolutely independent bureau, the duties of the officers and clerks of which are separate and distinct from the functions of the officers of the State Corporation Commission.

Mr. Kelley laid much stress upon the doctrine of "ejusdem generis," that language of statutes shall be construed largely by the context and argued that when the Constitution declared that "clerks, balliffs and all other officers of the Corporation Commission," it meant such pificers as clerks and balliffs and not such higher officers as the heads of new bureaus or departments that might be created by the Lexislature.

Mr. Christian Replies,

Mr. Christian Replies,

Mr. Christian Replies.

Mr. Christian, attorney for the commission, in his roply confined himself in most pare in meeting the points advanced by Mr. Kelley. He earnestly contested the statement regarding the distinctness of the functions of the Insurance Commissioner as related to the powers of the corporation, holding that it had been the general scheme of the Constitution to make all such commissioners subservient to the Corporation Commission such an extent that the officers should be elected and subject to removal by the pommission.

be elected and subject to removal by the sommission.

In considering the printed brief of the petitioner, Mr. Christian objected to the elation of reports of certain remarks of Mr. Braxton as published at the time in the Richmond Dispatch, he doubting not the veracity of the newspaper, but the construction of Mr. Braxton's words, as reported in that paper.

In this connection, Judge Keith called attention to the decision of the court in the case of Funkhauser vs. Barr, in this case of Funkhauser vs. Barr, in the polition of Mr. Christian thanked the court and asked that this decision he made a part of his brief,

Mr. Carter Closed,

Mp. Hill Carter closed the argument for the pelitioner. His speech was brief, but earnest. He want over the points

(Continued on Tenth Page.)

(By Associated Press.)

WASHINGTON, July 51.—"Unclean money" has no attractions for the clergy-men who are leading the anti-gambling in odvices received in Washington from the Islands.

Through agents of a jockey club, against which the Moral Progress League of the Philippines is making a campaign. Hislop C. H. Brent, of the Protestant Episcopal Church of the Philippines, was refused.

Churchmen of all denominations are reported to be united in the movement in the Philippines, was refused.

Churchmen of all denominations are reported to be united in the campaign to advices received in Washington from the Islands.

Churchmen of the Philippines, was of the Philippines, was refused.

Churchmen of all denominations are reported to be united in the campaign to a standard the content of the Philippines.

Churchmen of all denominations are reported to be united in the campaign to a standard the content of the Philippines was an ac



as opposed to legislation favored by or ganized labor.

#### PEACE IN IOWA IS NOW LIKELY

Cummins' Following Claims to Have More Than Sufficient Number of Delegates.

## PENNSYLVANIA MAKES SWEEPING REDUCTION

Will Result in General Readjustment of Fares from the

tailed by reason of the changes, the new release of fare will not become operative for some time, probably November 1st. It is assumed that the competing lines which reach New York by way of Cincinnati and Louisville will meet the Pennsylvania Railroad Company's reduction by a roadjustment of fares, so that all Southern passenger traffic, whether between Washington, Cincinnati or Louisville, will be on an equal basis.

A Book on Mosby's Men.

(Special to The Times-Dispatch.)
LEESBURG, VA., July 31.—Mr. John
H. Alexander, a prominent member of
the Leesburg bar, and a noted member
of Mosby's command, has recently written a book on the daily life and experiences in camp and battle of the members
of that famous band, entitled "Mosby's
Men." It has been well received, and the
incidents recorded therein have the approval of Colonel Mosby.

# GAMBLERS TRIED TO BRIBE BISHOP

Churchmen United in Movement Against Race Tracks and Cock Pits in Philippines.

(By Associated Press.)

WASHINGTON, July 31.—"Unclean money" has no attractions for the clersymen who are leading the anti-gambling movement in the Philippines, according to advices received in Washington from the islands.

# d Battle for Labor at Polls SULLIVAN MUST GO, BRYAN SAYS

Declares Member of National Committee Holds Seat By Fraud.

#### PARTY MUST KEEP ITS SKIRT CLEAR

Illinois Man Flatly Denies the Charge and Refuses to Surrender Position-Marion Butler Says Roosevelt Must Run Again.

to-day and delivered Mr. Bryan's age. Mr. Sullivan declined to resign

Letter from Bryan. Judge Thompson thereupon made public letter from Mr. Bryan, declaring tha

tions. Mr. Sullivan's presence upon the committee contradicts all that we

alone, but the majority of the delegates who sat at the Springfield convention of 1904, and by virtue of whose votes I hold my office.

"Even if I were willing to resign as requested, I would not do so under present conditions. If I did, after the charges which Mr. Bryan makes, I would be declaring not only that I was guilty of fraud, but that three-fourths of the Democratic leaders in the country were equally guilty."

#### ROOSEVELT WILL BE FORCED TO RUN

Marion Butler, of North Carolina, Exponent of Southern Republican Thought.

publican Thought.

(From Our Regular Correspondent.)

WASHINGTON, D. C., July 31.—A
former Senator from a Southern State
regards it as a probable contingency that
President Roosevolt will be forced to take
the Republican nomination to the preidency in 1995.

As a beardless stripling, calling himself a Populist, and when that party disappeared from the face of the earth,
avowing himself a Republican. Marion
Butler, of North Carolina, posing as a
leader of Republican thought in the South,
expresses the opinion that Mr. Roosevet will be a candidate unless the Republicans develop in the meantime a man
sufficiently Roosevoltation in character and
purpose to satisfy the man who has made
the name famous.

Butler is a young man, and yet
a veteran, having served a full term in the
United States Benate from North Carolina. He came into the lish place
through nervy activity in the Parmers'
Alliance, which was turning the polities
of several States upside down about
1532-32. The venerated 2e, Vance had
died. Populism roke out bad in spote
in the Southern States of ment of
and they received the service with a prompttime and administration man and yet
aveloran, having served a full term in the
United States Benate from North Carolina. He came into the lish place
through nervy activity in the Parmers'
Alliance, which was turning the polities
of several States upside down about
1532-32. The venerated 2e, Vance had
died. Populism roke out bad in spote
than daministration man and the composition to
and they permitter. Butler had made
cand from the legitle of the present year, and
died. Populism roke out bad in spote
the nature of the lish of the service with a proposed
the nature famous.

(Continued on Third Page.)

(Continued on Third Page.)

Thousand Miles and
Mailed.

(Special to The Times-Dispatch.)
MONTERERY, VA, July 31.—Vith a
plus the market in the bring the dudition medical pount of the broken distinction of the service of the
public market house
direct between the multiple and the fact that the
site is



CHIPS OF THE OLD BLOCK!

# MAN TOPPRISON

Tied Assailant of Daughter Up in Plow Line and Led Him Off.

Intervention of Brother, However, Caused Him to Spare Prisoner's Life.

(Special to The Times-Dispatch Over Sullivan's Reply.

ing himself with a shotgun, and accompanied by his brother, Mr. Morris immediately set out in pursuit of Wood. The old man was in hiding nearby, and was located after a brief search. Mr. Morris fired at him once, but upon the intercession of his brother spared the fellow's life.

The two tied Wood up in a plow-line, carried him to Newport News, and turned him over to the police. Late to-night Wood admitted his crime.

## LETTER CAST INTO SEA REACHES ADDRESSEE

# MUCH DISCUSSED

Much Favorable Opinion as to Alderman Le Masurier's Plan is Expressed.

TRIED FIRST TO KILL HIM PROPOSES SITE ON SIXTH

Plan Provides for Every Necessity-Structure to Be Large and Up-to-Date.

The question that confronts the city and Council to-day, is as to where this puilding shall be. For the solving of this problem there have been innumerable suggestions, many discussions as to the easiest way out; but the majority of them have mot with such an array of obstacles and so much adverse opinion that, as the matter now stands in the light of past events, the one that seems to have the support of the consensus of the people and the one which seems to be the most feasible is that suggested by Candian Le Masurler, who, with Messry. question that confronts the city be the most teasing is that suggested by Capitain Le Masurier, who, with Messrs. Davis and Burton, has been appointed a committee from the Council to look into the selection of a site and to make a recommendation back to the body from which it was appointed.

Le Masurier's Plan.

Picked Up After Floating One
Thousand Miles and
Mailed.

(Special to The Times-Dispatch.)

MONTERRY, VA., July 31.—With a pint bottle for a mail pouch, a later committed to the briny deep by a Monterry boy, has been sendy seeper forming the roundern poles head of the service with a promptic times of a service with a promptic times of a service with a promptic times of a service with a promptic times of the service with a promptic times of a service with a promptic times of the service with a promptic times of the service with a promptic times of the service with a promptic times letters, and the one to-day heard from was addressed to Mr. A. V. Hughes, of the firm of N. H. White & Company, and a personal friend of the write.

The letter was committed to the waves on April 19th, of the present year, and was washed ashore at Gorgatova, E. W. State of the service with a service and being time to the service, and being the service with the service of the service with a service with the servic

Alabama Ran Into Illinois Just Abreast of the Forward .Turret.

SEAMAN WAS BADLY INJURED

Damage to Big Ships Not Serious-Rear-Admiral Evans's Report.

Came Together at Angle. When the collision occurred the first division ships were well into Newport harbor, while those of the second were southeast of the lightenly. In the fog the Alabama and Illinois came together at an angle, with the Alabama to star, board. The Alabama hit the Illinois just abreast the forward turret and the bow of the Alabama scraped the side of the Illinois, crushing in the rall for some distance. Seaman Corbett, of the Illinois, was so severely injured by the fall of a lifeboat davit that it was necessary to amputate one of his legs. On the Illinois, the gunwale on the starboard side forward was dented in. The crews of both ships went to collision drill as soon as the accident happened. Officers of both ships say the discipline was of the high-Came Together at Angle.

spiracy to Capture Strongholds.

Gigantic Military Con-

**BLOODY FIGHTING** THROUGHOUT NIGHT

Killed on Both Sides at Sveaborg.

Hundreds Believed to Have Been

ATTACK ON BARRACKS Exact Situation Not Known, but

Latest Reports Declare Entire

BIG CRUISERS MAKE

Fortress is Now in Hands of Insurgents-Few Troops Remain

the main fort against the loyal infantry.

At one o'clock in the afternoon, the Cossacks cleared the square in front of the palace facing Sveaborg, and then drove the public from the entire water front for the purpose of preventing the sending of assistance from the city to Sveaborg.

Many Killed.

Many Killed.

The exact situation at Sveaborg is not known. Rumors are in circulation that the entire fortress has now fallen into the hands of insurgents, but they lack confirmation. It is believed that this cessation of fighting is but a prelude to the renewal of the battle between the mutineers and the sovernment troops.

An authoritative estimate of the killed and wounded cannot be obtained, but the casualty lists on both sides must be heavy, for the fighting was waged with desperation.

There are various rumors to be heard regarding the fate of the officers who were at Sveaborg and Skatudden Barracks. According to one rumor, almost all the officers, and according to another almost all the unior officers. sided with the mutineers.

The marines at Skatudden are said to have convened an elective court-martini which condemned several officers to instant execution.

NEPHEW OF SAGE

TO MAKE CONTEST

(By Associated Press.)

TROY, N. Y., July 31.—James H. Saze, a nephew of the late Russell Sage, declared to-day that the will of the late millionaire will be contested.

"I have made up my mind to get that to which, as a blood relative of Russell Sage, I am entitled, and !! I don't get if, it will be because there is no legal way of doing so," he said. "I am of the opinion that during Russell Sage's leat few years there was undue influence brought to bear upon him which caused him to leave the bulk of his fortune to his wife."

Dropped Dead in Hotel. (Special to The Times-Dispatch.)
BALTIMORE, MD., July 51.—Walter R.
Crabbe, fifty-two years old, of Hague,
Westmoreland county, dropped dead to,
day a moment after registering at the
Hotel Lombard. Death was caused by apoplexy.